

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: etaphro25082001an13[1].jpg

Other Known Title: Not Stated

Format: Computer Image File

Director/Author: Not Applicable

Producer/Publisher: Not Applicable

Country of Origin: Not Stated

Language: Not Applicable

Applicant: Comptroller of Customs

Distributor: Not Applicable

Classification: Objectionable.

Descriptive Note: Not Applicable

Display Conditions: Not Applicable

Date of entry in Register: 10 December 2007

Date of direction to issue a label: Not Applicable

OFLC No: 702056

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The computer image file entitled *etaphbro25082001an13[1].jpg* is classified as:
Objectionable.

The publication exploits the nudity of children by presenting an image of a naked girl of about eight to ten years of age posed for the viewer's close inspection. The overall effect is that of an image that is reasonably capable of being regarded as sexual in nature. The publication is in a medium that invites easy dissemination. It is highly likely that the child's nudity is exploited with sexual intent in this context. Therefore the publication exploits the nudity of children in such a manner that its availability is likely to be injurious to the public good.

The classification of this publication interferes with the freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention in the Films, Videos, and Publications Classification Act 1993 to limit the availability of publications that exploit the nudity of children.